

# IN THE MISSOURI COURT OF APPEALS WESTERN DISTRICT

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## COMPLETE TITLE OF CASE

THOMAS E. SIMMONS,

Appellant,

v.

STATE OF MISSOURI,

Respondent.

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**DOCKET NUMBER** WD77246

**MISSOURI COURT OF APPEALS  
WESTERN DISTRICT**

**DATE:** April 28, 2015

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## APPEAL FROM

The Circuit Court of Jackson County, Missouri  
The Honorable J. Dale Youngs, Judge

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## JUDGES

Division III: Pfeiffer, P.J., and Witt and Gabbert, JJ.

CONCURRING.

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## ATTORNEYS

Amy M. Bartholow, Assistant Public Defender  
Columbia, MO

Attorney for Appellant,

Chris Koster, Attorney General  
Adam Rowley, Assistant Attorney General  
Jefferson City, MO

Attorneys for Respondent.

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**MISSOURI APPELLATE COURT OPINION SUMMARY**  
**MISSOURI COURT OF APPEALS, WESTERN DISTRICT**

was pleading guilty because he believed that the pleas were in his best interests. There was also an adequate factual basis for the guilty pleas, even though Simmons denied all of the charges against him, because the State established that the evidence it planned to present, which the trial court had indicated it was going to allow and not suppress, was sufficient evidence of Simmons's guilt, and Simmons waived any ability to challenge the admissibility of the evidence, even as providing a factual basis for his guilty pleas, when he entered the pleas.

**Opinion by: Mark D. Pfeiffer, Presiding Judge**

April 28, 2015

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THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.